# GOVERNMENT OF INDIA
# COMMUNICATIONS AND INFORMATION TECHNOLOGY
# LOK SABHA

UNSTARRED QUESTION NO:1641
ANSWERED ON:09.12.2015
Duplicate IMEI
Shekhawat Shri Gajendra Singh

**Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:**

(a) whether the Government is aware of a certain software that is embedded in some of the mobiles currently being used in the Indian market, that can change or duplicate the International Mobile Equipment Identity (IMEI), a number which is unique to each phone;

(b) if so, the details thereof and whether the Government proposes to ban this software;

(c) if so, the details thereof; and

(d) the steps proposed to be taken to address this issue?

## Answer

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) Madam, incidences have been reported of changing International Mobile equipment Identity (IMEI) of mobile phones with help of software's available in market. However, there is no specific incidence reported about any software that is embedded in some of the mobiles currently being used in the Indian market that can change or duplicate the International Mobile Equipment Identity (IMEI).

(b) & (c) There is no provision to ban any specific software in Indian Telegraph Act 1885. Even if it is decided to incorporate such provisions it may not yield any result since such software can be renamed and modified any time. However, anybody indulging in this illegal activity can be dealt under Section 25 of Indian Telegraph Act 1885 which deals with intentionally damaging or tampering with telegraph and mobile handset is a part of telegraph.

(d) To address the issue, steps taken by the Government are as follows:

(i) After due consultations with Ministry of Home Affairs, Directorate General of Foreign Trade (DGFT), Department of Customs and Industry, the amended Notification has been issued vide No. 107/ (RE-2013)/2009-2014 dated 16th January, 2015 which prohibit Import of 'GSM Mobile Handsets' (classified under ITC (HS) code '8517') without International Mobile Equipment Identity (IMEI) No. , with all zeroes IMEI, duplicate IMEI or fake IMEI and 'CDMA mobile phones '(classified under ITS (HS) code '8517') without Electronic Serial Number (ESN)/ Mobile Equipment Identifier (MEID), with all Zeroes as ESN/MEID, duplicate ESN/MEID or fake ESN/MEID with Immediate effect.

(ii) The instructions have been issued by DoT vide letter dated 27.11.2009 directing all the telecom service providers that calls from mobile handsets with any IMEI number which is not available in the latest updated IMEI database of GSMA or without IMEI or all 'Zero' as IMEI should not be processed and must be rejected with effect from 30.11.2009.

(iii) Anybody indulged in this illegal activity can be dealt under Section 25 of Indian Telegraph Act' 1885 which deals with intentionally damaging or tampering with telegraphs and mobile handset is a part of handset.

(iv) In collaboration with GSMA which allocate IMEI, the IMEI Cloning and Duplication Restriction (ICDR) system has been installed across the country for validation of genuine IMEI by the Import wing of customs department. DoT in consultation with Customs department has issued a Standard Operating Procedure (SOP) vide letter no 13-11/2014/S-II dated 29.05.2015 for validation process of genuine IMEI at the ports of Import to ensure that mobile handsets with fake / duplicate IMEI are prevented from entry into the country.